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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,648	10/14/2005	Junbiao Zhang	PU030121	5569
24498	7590	11/25/2008		
Joseph J. Laks Thomson Licensing LLC 2 Independence Way, Patent Operations PO Box 5312 PRINCETON, NJ 08543			EXAMINER MILLER, BRANDON J	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 11/25/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/553,648

Applicant(s)

ZHANG ET AL.

Examiner

BRANDON J. MILLER

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-9 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-9 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment/Remarks

Disposition of Claims

- I. Claims 1, 4-9, and 12-14 remain pending in the application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- II. Claims 4 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites “communicating a request for authentication to separate authentication servers depending on whether the party seeking access is a local user or a guest” in lines 2-3. This limitation does not adequately describe how the request for authentication is communicated to because it is unclear whether the request for authentication is communicated to multiple authentication servers or whether the request for authentication is communicated to a single authentication server. The limitation renders the claim indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 recites “ascertaining whether the request for access included an authentication request was received in an IEEE 802.1x format or was received in a web-browser format” in lines 1-3. This limitation does not particularly point out and distinctly claim what is ascertained. It is unclear whether a determination as to whether the request for access included an

authentication request is ascertained or whether a determination as to whether the request for access was received in an IEEE 802.1x format or a web-browser format is ascertained. The limitation renders the claim indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following art rejection is based on the best possible interpretation of the claim language in light of the rejections under 35 U.S.C. 112, second paragraph.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

III. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
- IV. Claims 1, 4-9 and 12-13 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Liu et al. (US 7,177,637 B2) in view of Meier et al. (US 6,950,628 B1).

Regarding claim 1 Liu teaches a method for offering wireless network access to both guests and local users (see col. 4, lines 61-67 and col. 5, lines 1-2, non-authorized MU using public network and authorized MU using private network reads on guest and local users respectively). Liu teaches receiving at a common wireless network access point a request for access from one of a guest and local user (see col. 4, lines 61-64 and col. 6, lines 29-30). Liu teaches authenticating the request for access received at the common access point depending on whether the request was received from the guest or local user (see col. 3, lines 33-35 and col. 6, lines 35-38); and if such authentication is successful, then routing traffic from the local user differently from the guest (see col. 3, lines 25-31 & 48-53). Liu does not specifically teach determining at the wireless access point whether the access request was received from local user or guest, the determining including examining a user domain received from a party seeking access to determine whether such user domain designates a guest domain. Meier teaches determining at the wireless access point whether the access request was received from local user or guest, the determining including examining a user domain received from a party seeking access to determine whether such user domain designates a guest domain (see col. 2, lines 2-8, SSID identifying service set reads on user domain (see col. 4, lines 13-22)). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the

device in Liu to include determining at the wireless access point whether the access request was received from local user or guest, the determining including examining a user domain received from a party seeking access to determine whether such user domain designates a guest domain as taught in Meier because such a determination would need to be made by the access point in Liu when it decides what network access to give a requesting mobile user.

Regarding claim 4 Liu teaches communicating a request for authentication to separate authentication servers depending on whether the party seeking access is a local user or a guest (see col. 6, lines 33-40, SSID identifying service set reads on user domain (see col. 4, lines 13-22)).

Regarding claim 5 Meier teaches communicating a request for authentication to a single authentication server which performs authentication using different credentials for local users and guest (see col. 6, lines 33-40, SSID identifying service set reads on user domain (see col. 4, lines 13-22)).

Regarding claim 6 Liu teaches ascertaining whether the request for access included an authentication request was received in an IEEE 802.1x format or was received in a web-browser format (see col. 3, lines 25-30).

Regarding claim 7 Liu routing traffic from a guest to an external network (see col. 4, lines 4-8 & 28-30).

Regarding claim 8 Liu teaches routing traffic from a local user to a corporate intranet (see col. 3, lines 50-53).

Regarding claim 9 Liu teaches a wireless local are network for offering wireless Network access to both guests and local users (see col. 4, lines 61-67 and col. 5, lines 1-2, non-authorized

MU using public network and authorized MU using private network reads on guest and local users respectively). Liu teaches at least one common wireless network access point offering access to both guests and local users in response to a request for access (see col. 4, lines 61-64 and col. 6, lines 29-30). Liu teaches authenticating the request for access depending on whether the request was received from the guest or local user (see col. 3, lines 33-35 and col. 6, lines 35-38); and means coupled to the at least one wireless access point for routing traffic from the local user differently from the guest (see col. 3, lines 25-31 & 48-53). Liu does not specifically teach at least one server coupled to the at least one wireless network access point for authenticating; determining at the wireless access point whether the access request was received from local user or guest by examining if a user domain received with the access request designates a guest domain. Meier teaches at least one server coupled to the at least one wireless network access point for authenticating (see col. 6, lines 33-40). Meier teaches determining at the wireless access point whether the access request was received from local user or guest by examining if a user domain received with the access request designates a guest domain (see col. 2, lines 2-8, SSID identifying service set reads on user domain (see col. 4, lines 13-22)). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Liu to include at least one server coupled to the at least one wireless network access point for authenticating; determining at the wireless access point whether the access request was received from local user or guest by examining if a user domain received with the access request designates a guest domain as taught in Meier because such servers can provide authentication as described in Liu and such a determination would need to be made by the access point in Liu when it decides what network access to give a requesting mobile user.

Regarding claim 12 Liu and Meier teach a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 13 Liu teaches wherein the at least one wireless network access point ascertains whether the request for access was received in an IEEE 802.1x format or was received in a web-browser format (see col. 3, lines 25-30).

V. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al. (US 7,177,637 B2) in view of Meier et al. (US 6,950,628 B1) and Anton, Jr. (US 2002/0157090 A1).

Regarding claim 14 Liu and Meier teach a device as recited in claim 9 except for wherein the means for routing traffic includes a firewall. Anton, Jr. teaches means for routing traffic that includes a firewall (see paragraph [0024]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Liu and Meier combination adapt to include wherein the means for routing traffic includes a firewall as found in Anton, Jr. because gaining access to a private network as taught in Liu can include making a connection through a firewall.

Response to Arguments

VI. Applicant's arguments with respect to claims 1, 4-9, and 12-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

VII. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ala-Laurilla et al. Patent No.: US 7,389,105 B2 discloses billing in a packet data network.

Prasad Pub. No.: US 2004/0100973 a1 discloses an access control protocol for wireless systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON J. MILLER whose telephone number is (571)272-7869. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

November 19, 2008

/Brandon J Miller/
Examiner, Art Unit 2617